

By-Law of the Municipality of in the County

Recital. In Vic. cap. 3,
authorising the amalga-
mation, &c.

I. **WHEREAS**, by the third section of an Act of the Parliament of
Hundred and Fifty-five, entitled "An Act to amend the Charter of the Wo
other things provided, that the said Company should have power and was a
general meeting of the Shareholders duly convened for that purpose, and
might be interested in the said Company as bondholders or stockholders, or
and unite with any other Railway Company in this Province, or to lease or
Stock thereof to any such other Railway Company, or to purchase, buy out
whole upon such terms and conditions as should be agreed upon; which sai
pany was thereby fully authorised to effect with the said Company, upon a
other Railway Company at a special general meeting to be convened for the

Certain Municipalities in-
terested as creditors, &c.

II. **And Whereas**, the several Municipalities of the Town of Woodst
of South Norwich, the Township of Wyndham, and the Township of Wood
Railway and Harbor Company, as creditors of the said Company, the said
Company issued in consideration of certain Municipal aid granted to the sai
certain conditions, to the effect that the said Company should yearly and ex
cipalities, respectively, for raising the amount of the said Municipal aid on t
should be paid off in principal and interest, pay to the respective Treasur
annum on the amount of such debentures (six per cent. thereof being for int
pany should, so soon as they should have completed the construction of the
and sufficient deed of Mortgage of their said Railway and all their Real Est
secure the payment of the amount of such debentures then so issued, or to
all necessary and proper covenants and powers of sale, in case default should

Proposal of M. O'Reilly,
Esq. to the Municipalities

III. **And Whereas**, the said Municipalities, by delegates acting on
MILES O'REILLY, of the city of Hamilton, Esquire, bearing date the 10th of
1st. That the said Municipalities should take the bonds of the Woodstock
given and to be given to the said Company, which shall be postponed o
amount of £1,000,000. 2nd. Private stock shall be taken to the amount
St. Thomas. 3rd. That the Municipalities contribute towards the enterpr
a gratuity; that is to say, the Company will pay the interest in the mean
and take the bonds of the Municipalities for the amount, payable at the e
such a Board of Directors shall be put in as shall be nominated through M
and management of the whole undertaking. 5th. That whether the mod
converting their bonds into stock, and afterwards giving up their stock and
at the end of 20 years or sooner if the Company please to pay them soo
any amendment in the law necessary or desirable for this purpose, as wel
the said Company, in so far as the taking and dealing with the bonds of t
optional with Mr. O'Reilly and those acting with him, to decide whether t
or be bondholders, as first above described; but if shareholders, of course
the payment of the interest being made by the Company during constru
three years' interest above referred to; but this agreement to be binding i
are to be bondholders, the Company to pay two per cent. per annum (for
the Company's bonds in favor of the Municipalities to be so drawn that th
expiration of the twenty years; that is to say, at any time before due;
have the right to take their stock at par at any time in ten years from th
never shall be put in running order within a reasonable time, say two ye
to in the part of the said Municipalities.—Dated at Paris, this tenth day

Proposals ratified by the
Committee of the Municipa-
lities

IV. **And Whereas**, the said proposals were subsequently ratified or a
said Municipalities not having as yet proceeded to carry the same into effect,
the principal portions thereof, in the manner and to the extent hereinafter me

10 Vic. cap. 3, authoris-
ing the Municipalities to
aid and assist the same
1857

V. **And Whereas**, by an Act of the Parliament of the Province of Ca
Hundred and Fifty six, entitled, "An Act to amend the Act of Incorporation
among other things enacted that it should be lawful for the said Municipali-
tied Companies, by loaning or advancing money or other means to such Co
Company or Companies, and otherwise, in such manner, and to such extent,
always that no such aid, loan, or guarantee, should be given, advanced, or

Municipality of the the County of

of

No.

of the Parliament of Canada, passed the Nineteenth day of May, A. D. One Thousand Eight the Charter of the Woodstock and Lake Erie Railway and Harbor Company," it was amongst have power and was authorised in pursuance of any resolution to that effect adopted at a special for that purpose, and by and with the consent of the Municipalities, then, or that thereafter ders or stockholders, or a majority of them, signified by a resolution to that effect, to amalgamate Province, or to lease or sell their line of Road or any portion thereof and appurtenances or the or to purchase, buy out, or lease any other such Railway Company, or the Stock thereof; the agreed upon; which said amalgamation, purchase, lease, or agreement, such other Railway Com- said Company, upon a resolution to be adopted by the majority of the Shareholders of such to be convened for that purpose.

of the Town of Woodstock, the Town of Simcoe, the Township of North Norwich, the Township the Township of Woodhouse, are respectively interested in the said the Woodstock and Lake Erie said Company, the said Municipalities being respectively the holders of certain bonds of the said aid granted to the said Company, which bonds respectively, were and are under and subject to aid should yearly and every year, until the Debentures then issued or to be issued by such Muni- said Municipal aid on the credit of the consolidated Municipal Loan Fund for Upper Canada, the respective Treasurers of the said Municipalities, a sum at the rate of eight per centum per cent. thereof being for interest, and two per cent. thereof being for principal); and that the said Com- the construction of their Railway from Woodstock to Port Dover, execute and deliver a good and all their Real Estate, to such person as the said Municipalities should appoint, in trust to es then so issued, or to be issued as aforesaid, such mortgage to contain amongst other things, e, in case default should be made by the said Company in the payments so to be made by them, y delegates acting on their behalf respectively, accepted certain proposals made in writing by earing date the 10th of March, A. D. 1856, in words or to the effect following, that is to say:— bonds of the Woodstock and Lake Erie Railway and Harbor Company, for any aid already " shall be postponed or sub- to, first mortgage bonds to be issued by the Company to the " be taken to the amount of from £750,000 to £1,000,000 in this and the road westward of " ute towards the enterprise three years' interest, at six per cent. on the amount of their aid, as " he interest in the mean time (beginning with and including the year's interest now past due) " amount, payable at the end of 20 years, with interest half yearly. 4th. That in the mean time " be nominated through Mr. O'Reilly, who of course are to have the unfettered direction, control, " That whether the mode of carrying out this arrangement shall be by the Municipalities first " iving up their stock and taking the Company's bonds for the amount (which would be payable " please to pay them sooner); in either case the Municipalities and all others concur in getting " or this purpose, as well as also for legalizing what has been already done by the Directors of " ng with the bonds of the Municipalities, and other necessary matters. 6th. That it shall be " im, to decide whether the Municipalities shall become and remain shareholders in the Company, " shareholders, of course they would stand on the same footing as other ordinary shareholders, " mpany during construction; also in such case they would not make the contribution of the " reement to be binding in all other respects. 7th. If it be determined that the Municipalities " cent. per annum (for sinking fund) on the principal of their (the Company's) bonds; and " to be so drawn that the Company have the option of paying them off at any time before the " any time before due; and if the Municipalities are to remain shareholders, the Company to " e in ten years from this date. 8th. It is understood that the road from Woodstock to Port " able time say two years from this date. — The above written proposition is accepted and agreed " t Paris, this tenth day of March, one thousand eight hundred and fifty-six."

sequently ratified or approved by the Councils of the said Municipalities respectively; but the ry the same into effect, they have now determined and agreed to carry out the said proposals, or e extent hereinafter mentioned

of the Province of Canada, passed the Nineteenth day of June, A. D. one Thousand Eight the Act of Incorporation of the Woodstock and Lake Erie Railway and Harbor Company, it was or the said Municipalities therein referred to, to aid and assist the said Company, or amalga- other means to such Company or Companies, or issuing Municipal bonds, to or in aid of such er, and to such extent as such Municipalities or any of them should think expedient:—Provided

Proposals ratified by the Councils of the Member States.

19. Vic. cap. 74, authorizing the Municipalities to aid and assist the Company.

19 *Vic.*, cap. 74, sec. 9, requiring By-law to be approved by ratepayers, &c.

Consent to amalgamation
by _____ the W. and L. E.
E. _____ the _____

The W. & L. E. G. & H. Co. have paid to the Provincial Government £11,600. Ac.

Municipalities determined, &c., to aid the Co. by grant of £26,100, &c.

This Municipality holders of the bonds of the Company to £ , and they agree to grant the Company £ , and to surrender the Company's bonds held by them.

X. And Whereas, this Municipality is the holder of a portion of the Harbor Company, given for Municipal aid granted as aforesaid—that is to say, the said Municipality hath agreed to aid and assist the said Company, by granting to them, as a consideration thereof, bonds or debentures for that amount, payable at the end of 20 years, with interest payable half yearly; and whereas, it has been agreed between this Municipality and the said Company, that this Municipality shall release and discharge the said bonds of the said Company so held by this Municipality, and that the said bonds (when such redemption shall be effected and perfected), shall be fully released, exonerated, discharged, and all payments now or heretofore existing, in favour of this Municipality, and especially all mortgages, mortgage charges, or incumbrances upon their real estate or other property ; and that the said bonds of the said the Woodstock and Lake Erie Railway and Harbor Company (when such redemption shall be effected and perfected), as the case may be, conditioned for the payment

(two per cent. of the amount of the Municipal aid originally advanced

besides one year's interest having been already paid as aforesaid) with interest is to say, the sum of

parcel of the said principal sum on the first day of January next, and the sum

year thereafter, until the whole shall be paid, with interest at the rate of

1856, on the said principal sum or such portion thereof as shall from time

in the option of the obligors at any time to pay off the whole or such part

interest, to be computed up to the time of such payment: And further, that

public traffic by the said the Woodstock and Lake Erie Railway and Har

tion shall be effected and perfected), simultaneously with their main line.

said the Woodstock and Lake Erie Railway and Harbor Company, in pur

that the Directors and late Directors of the said Company referred to in the

day of June, A. D. 1856, shall be fully indemnified from and against all cl

section contemplated or provided; and to that end and for that purpose th

And further, that such a Board of Directors of the said Company as shall

into office, and for that purpose the members of the present Board shall r

concur in appointing as Directors the nominees of the said Miles O'Reilly.

Be it therefore enacted, by the Municipality of the Town of

thereof, to be ascertained as hereafter mentioned, and it is hereby enacted

Sec. 1. That the said Municipality doth approve, adopt, agree to, and

clauses, and provisions in the foregoing recitals mentioned or referred to, as

cause the same and every of them to be performed, executed, and carried i

authorise and require the same to be executed and carried into effect; and

Sec. 2. That the said the Woodstock and Lake Erie Railway and Har

shall and may amalgamate and unite together as one Company, in the man

or referred to; and that the first mentioned Company, or, after such amalg

Railway Company whose railway shall form, or have been intended to form

Detroit, on the like or such varied terms and conditions as aforesaid as may b

last mentioned amalgamation shall not provide for postponing or in any w

this Municipality.

Sec. 3. That the said Municipality shall and do aid and assist the said

granting to them, as a gratuity for and towards the construction of their R

equal in amount to three years' interest on that portion of the said Municip

this Municipality;) by issuing their bonds or debentures to the said Com

debentures of the said Municipality shall immediately after the final passing

said sum of £

payable at the end of 20 years from

at six per cent. per annum from date, the said interest to be paid and paya

Sec. 4. That the said Municipality shall and do surrender and yield u

way and Harbor Company the Bonds and obligations of the said Company

be entitled; and that the said Company shall be fully released, exonerate

from all other engagements now or heretofore existing in favor of this Mu

mortgage, charge or incumbrance upon their real estate or other property

matter or thing whatsoever; and that this Municipality shall and do acce

and Lake Erie Railway and Harbor Company or of the amalgamated C

case may be, for the principal sum of

the said last mentioned Bonds to bear interest from the first day of Januar

and to become due and payable with such interest thereon in such manner

that behalf specified or described.

Sec. 5. That the Directors and the late Directors of the said Woodsto

sixth section of the said Act of Parliament, passed the nineteenth day of

against all claims, actions, and proceedings at law and in equity, as in the said

adopts and accepts the said proposals or agreement of the tenth of March,

Sec. 6. And whereas the agreement and understanding hereinbefore rec

between this Municipality and the said The Woodstock and Lake Erie Rai

executed in due form of law under the respective Seals of the parties there

said agreement shall be executed on the part and under the Seal of this M

rised and required to affix the Seal of this Municipality to the said agreem

due and binding form.

Sec. 7. And whereas the whole rateable property of the said Municip

year next proceeding the final passing of this By-Law, amounted to

s aforesaid) with interest thereon from the first day of January, 1856, payable as follows, that January next, and the sum of

other parcel of the said principal sum, on the first day of January in each year, interest at the rate of six per cent. per annum, to be computed from the first day of January, thereof as shall from time to time remain unpaid, on the first day of January in each year; or the whole or such part of the said principal sum as shall be then unpaid, with all arrears of interest: And further, that the Railway from Woodstock to Port Dover shall be opened for the Erie Railway and Harbor Company, or by the amalgamated Companies (if such amalgamation with their main line. And it hath been further agreed between this Municipality and the Harbor Company, in pursuance of the said proposals or agreement of the 10th of March, 1856, by which the said Company referred to in the sixth section of the said Act of Parliament, passed on the nineteenth day of March, 1856, from and against all claims, actions, and proceedings at law and in equity, as in the said sixth section and for that purpose this Municipality accepts and adopts the said proposals or agreement.— And the said Company as shall be nominated through the said Miles O'Reilly shall be immediately put in place. The present Board shall resign one at a time, and the persons being or continuing Directors shall be nominated by the said Miles O'Reilly.

of the Town of with the consent of a majority of the ratepayers and it is hereby enacted and declared as follows, that is to say:

That we, the Mayor, Aldermen and Commonalty of the said Town of Woodstock, do hereby enact, agree to, and confirm all and every of the agreements, understandings, stipulations, conditions, covenants, or referred to, according to the true intent and meaning thereof, and shall and will cause the same to be executed, and carried into full effect on the part of the said Municipality, and doth hereby declare the same to be carried into effect; and especially,

That the said Erie Railway and Harbor Company and the said the Erie and Ontario Railroad Company, in the manner, and upon the terms and conditions in that behalf above mentioned, may, or, after such amalgamation, the amalgamated Companies, may amalgamate with any other Company, or Companies, which may be intended to form, part of a direct line of railway from the river Niagara to the river Lake Erie, as aforesaid, as may be agreed upon by such Companies; provided always, the terms of such amalgamation shall not be such as to postpone or in any way prejudicing any then existing debt or obligation to or in favor of

the said and assist the said the Woodstock and Lake Erie Railway and Harbor Company, by the construction of their Railway and Works, the said sum of £ (being a sum of money) out of the said Municipal aid heretofore advanced to the said Company by or on behalf of the said Municipality, and the said sum of £ (being a sum of money) to the said Company as hereafter mentioned for that amount; and that the bonds or securities of the said Company after the final passing of this By-Law be issued and delivered to the said Company for the use of the said Company, and that the said By-Law shall be limited to take effect, bearing interest at the rate of six per cent. per annum, to be paid and payable half-yearly.

That the said Company surrender and yield up (to be cancelled) to the said The Woodstock and Lake Erie Railway and Harbor Company held by the said Municipality or to which this Municipality is or may be lawfully released, exonerated and discharged as well from the said Bonds or obligations as also from the said By-Law, and especially from making, executing and delivering any deed, or other property for or on account of the said municipal aid, or for or on account of any other matter, shall and do accept and receive in lieu thereof the Bonds of the said The Woodstock and Lake Erie Railway and Harbor Company (if such amalgamation as aforesaid shall be effected), as the

the first day of January, in the year of our Lord one thousand eight hundred and fifty-six, and interest thereon in such manner and in such sums and at such periods as in the foregoing recitals in

of the said Woodstock and Lake Erie Railway and Harbor Company referred to in the sixth section of the said Act of Parliament, passed on the nineteenth day of March, 1856, shall be fully indemnified and discharged from and free of all claims, actions, and proceedings at law and in equity, as in the said sixth section contemplated or provided, and this Municipality hereby declares that it is so, for that purpose.

That the said Municipality, and the said Woodstock and Lake Erie Railway and Harbor Company hath been reduced to writing ready to be signed by the parties thereto: Be it further enacted and declared by this Municipality that the Mayor, Aldermen and Commonalty of this Municipality is hereby authorized to execute the same for and on behalf of this Municipality, in

of the said Municipality, according to the assessment returns for the same for the financial year ending on the first day of January, 1856, and the sum of

case may be, for the principal sum of the said last mentioned Bonds to bear interest from the first day of January, and to become due and payable with such interest thereon in such manner that behalf specified or described.

Municipality, in the meantime, shall pay all the interest, &c., until six months after the date of the said bonds.

The said modified agreement having been received by the Municipality of Woodstock, &c.

SEC. 5. That the Directors and the late Directors of the said Woodstock and Lake Erie Railway Company, in pursuance of the sixth section of the said Act of Parliament, passed the nineteenth day of June, 1855, against all claims, actions, and proceedings at law and in equity, as in the said Act contained, do hereby adopt and accept the said proposals or agreement of the tenth of March, 1856.

SEC. 6. And whereas the agreement and understanding hereinbefore recited between this Municipality and the said The Woodstock and Lake Erie Railway Company, executed in due form of law under the respective Seals of the parties thereto, said agreement shall be executed on the part and under the Seal of this Municipality, and required to affix the Seal of this Municipality to the said agreement in due and binding form.

SEC. 7. And whereas the whole rateable property of the said Municipality for the year next preceding the final passing of this By-Law, amounted to

And whereas it will be necessary to raise an additional rate, as a special rate, over and above and

hereinbefore limited for the satisfaction, payment, and discharge thereof until the said principal sum of £10,000 shall be paid and satisfied. And whereas it will require an annual rate of £100 in the pound upon the said rateable property of the said Municipality as a sinking fund for the payment of the said principal sum of £10,000, until the last mentioned sum and the interest thereof shall be fully paid and satisfied, like consent as aforesaid, that for the purpose of paying the said principal sum and the interest thereof, that there shall be

Municipality, according to the assessment returns for the same for the last five years, the said principal sum of £10,000 shall be fully paid and satisfied, a special rate in each year over and above the ordinary rate, is to say: in each year after the year 1856, until and including the year 1870, in the pound, upon all the rateable property of the said Municipality.

SEC. 8. That the day of

and appointed for a general meeting of the Ratepayers of the said Municipality for the purpose of approving or disapproving of the same; and that this By-Law shall be published in the manner prescribed by the fourth subsection of the second section of the said Act, chaptered twenty-two; and in case this By-Law shall be approved of at a meeting herebefore in this section appointed to be held, then a meeting of the Ratepayers of the said Municipality, on the

than one month after the first publication of this By-Law, as above directed,) (1) SEC. 9. And be it further enacted, that the chief or head officer of this Municipality do hereby affix the Seal of this Municipality to the said bonds or debentures to be issued by the said Woodstock and Lake Erie Railway and Harbor Company as aforesaid, for the aggregate amount of £10,000, in pursuance of this By-law, and to execute the said bonds or debentures in due form of law, and to deliver the said bonds or debentures (so executed) to the said Company or to their said President or Secretary (to be cancelled) the said bonds of the said Company which this Municipality is or may be entitled as aforesaid, as mentioned or contained in the said fourth section; and also to accept and receive the said bonds so to be surrendered and delivered up, the bonds of the said Company as mentioned or contemplated in the said fourth section; and also to affix the Seal of this Municipality to the said bonds, and to do and cause to be done, all matters, acts,

the first day of January, in the year of our Lord one thousand eight hundred and fifty ~~five~~ ^{six} ~~five~~ ^{five} ereon in such manner and in such sums and at such periods as in the foregoing recitals in

s of the said Woodstock and Lake Erie Railway and Harbor Company referred to in the e nineteenth day of June, A. D. 1856, shall be fully indemnified and discharged from and in equity, as in the said sixth section contemplated or provided, and this Municipality hereby the tenth of March, 1856, for that purpose.

ding hereinbefore recited, mentioned or referred to, so far as concerns this Municipality, and k and Lake Erie Railway and Harbor Company hath been reduced to writing ready to be s of the parties thereto: Be it further enacted and declared by this Municipality that the er the Seal of this Municipality; and the head officer of this Municipality is hereby autho- y to the said agreement, and to execute the same for and on behalf of this Municipality, in

y of the said Municipality, according to the assessment returns for the same for the financial ounted to

be necessary to raise annually the sum of and the interest thereof within the time

, over and above and in addition to all other rates, for payment of the said sum of and discharge thereof until the said last mentioned sum and the interest thereof shall be fully nual rate of

aid Municipality as a special rate for payment of the said interest, and for the creation of a n of

shall be fully paid and satisfied: Be it further enacted by the said Municipality, with the ing the said principal sum of

t thereof, that there shall be levied and raised upon the whole rateable property of the said he same for the last financial year next preceeding the final passing of this By-Law, until and the interest

in each year over and above and in addition to all other rates whatsoever, as follows, that including the year 1876, a rate of

und, upon all the rateable property of the said Municipality,

ay of A. D. 1877, at eleven o'clock in the forenoon, at shall be, and is hereby fixed

s of the said Municipality to be held for the purpose of considering this By-Law and ap- By-Law shall be published and posted up at least one month before the final passing

ction of the second section of the Statute passed in the sixteenth year of Her Majesty's shall be approved of and assented to by a majority of the said Ratepayers voting at the

d, then a meeting of the Council of this Municipality shall be held at their usual place of at twelve o'clock, noon, (being more

w, as above directed,) for the purpose of considering and finally passing the said By-Law.

or head officer of this Municipality shall, and he is hereby authorised and required to affix entures to be issued by this Municipality to aid and assist the said the Woodstock and Lake

ie aggregate amount of £ is mentioned or contemplated in the third sec- debentures in due form for and on behalf of this Municipality, and to deliver or cause to be

to the said Company or their President or Secretary: the said bonds or debentures to be 25 each, and not exceeding in the whole the said sum of £ besides interest)

ry shall desire; and also to deliver, surrender, and yield up to the said Company, their ds of the said Company to the amount of £ held by this Municipality, or to

aid, as mentioned or contemplated in the fourth section of this By-law; and also to release obligations to or in favor of this Municipality, and especially from making, executing, or de-

real estate or other property, for or on account of municipal aid or otherwise, as mentioned o to accept and receive from the said Company for this Municipality, in lieu of the said

s of the said Company or amalgamated Companies, for the principal sum of £ n; and also to affix the Seal of this Municipality to this By-law, and to cause this By-law

done, all matters, acts, and things necessary or proper for that purpose.